

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29558 of 2016

Arising Out of PS.Case No. -96 Year- 2015 Thana -SIKTA District-
WESTCHAMPARAN(BETTIAH)

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1. Sk. Alauddin @ Allauddin Son of Nabi Hussain Resident of Village-
Jhumka, Police Station- Sikta, District West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Opposite Party/s : Mr. Zainul Abedin

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

2 22-02-2017 Heard learned counsels for the petitioner and the State.

The petitioner being husband of the informant has renewed his prayer for bail in a case registered for the offences punishable under Sections 341,342,323,324,307,379,498A and 506/34 of the Indian Penal Code and sections 3 and 4 of Dowry Prohibition Act.

The basic accusation is of torture and causing burn injury for non-fulfillment of the dowry demand.

It is submitted by learned counsel for the petitioner that the injury has been found to be simple. There is counter version of the occurrence also and the petitioner's mother received grievous injury. More over, after rejection of the petitioner's prayer for bail



by this court, the petitioner moved the Apex Court vide Special Leave to Appeal (Cri.) No.(s)3118/2016 which was disposed of with a liberty to the petitioner to move this court after two months. Relevant portion of the order reads as follows:

“Having heard learned counsel for the parties, we think it appropriate that the petitioner should move the High Court for grant of bail after a period of two months.

With the aforesaid observation, the special leave petition stands disposed of.”

Learned counsel for the State submits that though earlier order reflects that after going through the case diary, it was submitted on behalf of the state that informant received altogether seven injuries but keeping in view of the fact that the petitioner has remained in custody for more than a year and in view of the observation of the Apex Court, the prayer for bail may be considered.

Considering the nature of accusation and the fact that the petitioner remained in custody for more than a year and the liberty granted by Apex Court to the petitioner, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Bettiah, West Champaran in



connection with Sikta P.S. Case No. 96 of 2015.

The learned court below shall be at liberty to cancel the bail bonds of the petitioner in case the petitioner defaults without any reasonable cause on three consecutive occasions.

(Dinesh Kumar Singh, J)

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